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MAE News: Newsletter from the Office of Monitoring, Audit and Enforcement, Fall 2008

Maine Workers' Compensation Board

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MAE News

Newsletter from the Office of Monitoring, Audit and Enforcement
Maine Workers' Compensation Board

Fall 2008 **Volume 4, Number 3**

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Maine Workers'
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Winter Training Sessions To Be Held In Augusta

Our next "Open" training sessions will take place on January 14th, 15th, and 16th, 2009 in Room 110 of the Williams Pavilion at 6 Elkins Lane on the AMHI Campus in Augusta.

The January 14th session will present the Board's "Basic Compliance" program that provides forms compliance and accuracy training, as well as basic wage and compensation rate training.

The January 15th session will present the Board's "Advanced Compliance" training that focuses on advanced average weekly wage and partial benefit calculations. This session always fills up, so make your reservation(s) early.

The January 16th session will be a special half-day "Claims Workshop" session that offers you the opportunity to go over "nuts and bolts" form filing and accuracy issues with the Board's Claims Management staff. This is a great opportunity to meet the fine folks in our Claims Management Department who work with you on a daily basis.

To sign up for the January 14th Basic Compliance session or the January 16th Claims Workshop session, contact Anne Poulin at (207) 287-7067 or send her an e-mail at Anne.Poulin@maine.gov

To sign up for the January 15th Advanced Compliance session, contact Marlene Swift at (207) 287-7014 or send her an e-mail at Marlene.Swift@maine.gov

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Wage Information Reminder

Reminder: wage information (WCB-2 and WCB-2A forms) must be filed within 30 days of an employer's notice or knowledge of a claim for compensation.

This means that in addition to compensated claims, wage information must also be filed for fully denied lost time claims and partially denied claims where indemnity is denied in whole or in part, regardless if the employee returns to work within the waiting period.

If the WCB-2A form is not returned by the injured employee in a timely manner, we recommend that the assigned adjuster complete the form based on any known filing status and dependent information and file it with the Board within the required time limit.

If the filing status and dependent information is unknown, we recommend a filing of "single with no dependents". Upon receipt of the employee's version of the form, a copy should be forwarded to the Board along with any corresponding corrections (if applicable).

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New Tool Available on Board's Website

Do you sometimes struggle to decide which subparagraph of §102(4) to use when you're trying to calculate an AWW?

The Board's website now offers an AWW Checklist tool that may help you with that decision. To view this new tool, simply select "AWW Checklist" on the Board's website: www.maine.gov/wcb/departments/mae/Audit/Other%20Documents.htm

If you have questions, comments or concerns regarding this tool, please contact: Marlene.Swift@maine.gov

Cost of Living Adjustments

The farther we get from the pre-1993 injuries, the more difficult it becomes to remember all of the details about adjusting rates. Each July 1st, when a new multiplier and new maximum (max) rates become effective, the Board begins to receive many incorrect "Discontinuance or Modification of Compensation" (WCB-4) forms. One of the most frequent errors involves WHEN to apply the COLA. The correct COLA application date depends on the date of the injury.

- Injuries prior to 1-1-72 do not receive adjustments.
- All injuries from 1-1-72 through 6-30-83 receive annual adjustments on July 1st.
- All injuries (except those at max at the time of injury) from 7-1-83 through 6-29-85 receive annual adjustments on their own anniversaries. Employees at max at the time of injury receive annual adjustments on July 1st.
- All injuries from 6-30-85 through 11-19-87 (except those at max at the time of injury) receive annual adjustments on their own anniversaries. Employees at max at the time of injury receive annual adjustments on July 1st, but are subject to new annual maximum benefit levels that are effective each August 1st (beginning in 1988).
- All injuries from 11-20-87 through 12-31-92 (except those at max at the time of injury) receive annual adjustments beginning on their third anniversary. Employees at max at the time of injury are not subject to the three year wait and will always receive annual adjustments on July 1st. However, no cost of living adjustments are applied for purposes of calculating partial incapacity benefits.

More COLA details and instructions are available on the Board's website:
www.maine.gov/wcb/departments/mae/formsmanual/appendixa.html

Updated Appendices for Forms Manual

Appendices A, B, and C of the Forms and Petitions Manual have been updated and are on the Board's website:
www.maine.gov/wcb/departments/mae/formsmanual/cover.html

E-mail Anne Poulin at Anne.Poulin@Maine.Gov to get e-versions of these documents.